



EXHIBIT 33

REDACTED

MAO DECLARATION OPPOSITION TO SUMMARY JUDGMENT

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Improving User Privacy for Apps

Review, 12/13/18

Reflects discussions amongst many: ...

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Id	Date	Text
1	12/14/2018 19:53:25	[REDACTED]@google.com [REDACTED]@google.com Lawrence, could you share the trends slides you made? Relevant to a research conversation.

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Objective of today

[Key assumptions](#)

[Workstreams, key questions across workstreams, decision matrix](#)

Deep Dives



More detailed update: early January

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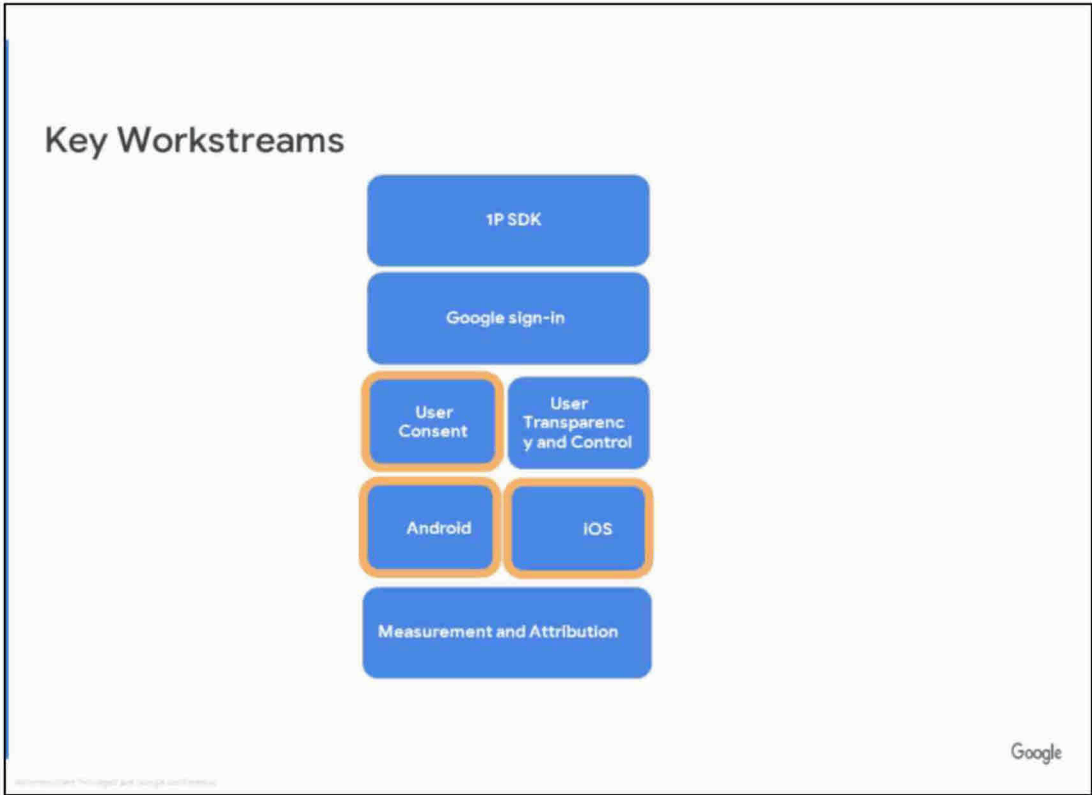
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Key Assumptions

- Users expectations of Apps is a different landscape than Web
 - Users expect to sign-in
 - Users expect an app to have their personal information, and personalize their app for them
 - Users expect to pay to download an app
 - Users expect to pay to progress in an app
- User principles: Google would like to target similar NorthStar principles at the high levels
- Google's competitive position: Competitors and competitive positions different

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Screen captured through just google confidential



Decision Matrix

Users	Google User Principles	Technical Feasibility	Public Reaction	Revenue Impact	Competitive Analysis
Choice Privacy Access to Content Transparency.	Reasonable Personalization Data Security Sensitivity Retention Transparency	Complexity of proposal Time to complete	Press Regulators	Google Publishers Advertisers Agencies	Identity Providers (FB, AMZN) Publishers Advertisers Criteo Carriers

*the way to read this scorecard is that Ideally any proposal that moves forward, scores at least green in the first two areas, but can be yellow with reasonable mitigations/messaging in the other areas.

Google

Information disclosed through this document is confidential

Key questions

1

iP SDK

- [REDACTED]

2

Google sign-in

- [REDACTED]

3-4

User Consent, Transparency and Control

- [REDACTED]

5-6

Android and iOS

- [REDACTED]
- [REDACTED]
- [REDACTED]

7

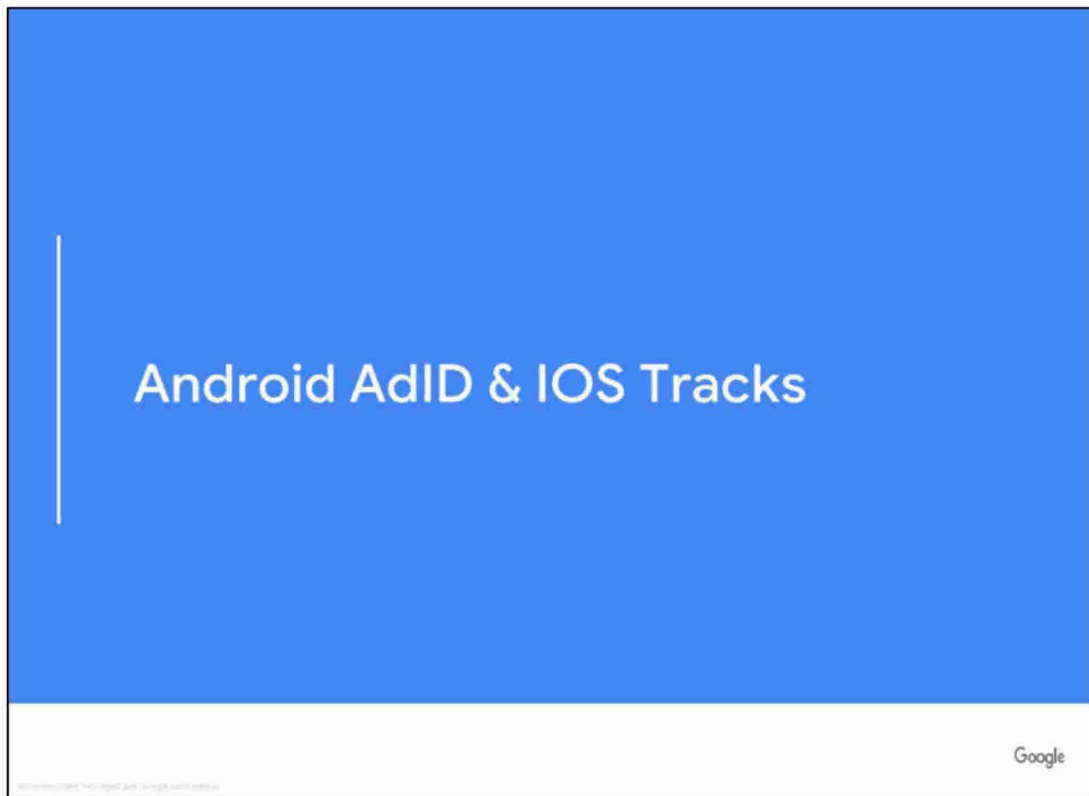
Measurement

- [REDACTED]

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[REDACTED]




the 1990s, the number of people in the United States who are 65 years of age or older has increased by 50 percent, and the number of people 75 years of age or older has increased by 100 percent. The number of people 85 years of age or older has increased by 200 percent. The number of people 95 years of age or older has increased by 400 percent. The number of people 100 years of age or older has increased by 1,000 percent. The number of people 105 years of age or older has increased by 2,000 percent. The number of people 110 years of age or older has increased by 4,000 percent. The number of people 115 years of age or older has increased by 8,000 percent. The number of people 120 years of age or older has increased by 16,000 percent. The number of people 125 years of age or older has increased by 32,000 percent. The number of people 130 years of age or older has increased by 64,000 percent. The number of people 135 years of age or older has increased by 128,000 percent. The number of people 140 years of age or older has increased by 256,000 percent. The number of people 145 years of age or older has increased by 512,000 percent. The number of people 150 years of age or older has increased by 1,024,000 percent. The number of people 155 years of age or older has increased by 2,048,000 percent. The number of people 160 years of age or older has increased by 4,096,000 percent. The number of people 165 years of age or older has increased by 8,192,000 percent. The number of people 170 years of age or older has increased by 16,384,000 percent. The number of people 175 years of age or older has increased by 32,768,000 percent. The number of people 180 years of age or older has increased by 65,536,000 percent. The number of people 185 years of age or older has increased by 131,072,000 percent. The number of people 190 years of age or older has increased by 262,144,000 percent. The number of people 195 years of age or older has increased by 524,288,000 percent. The number of people 200 years of age or older has increased by 1,048,576,000 percent. The number of people 205 years of age or older has increased by 2,097,152,000 percent. The number of people 210 years of age or older has increased by 4,194,304,000 percent. The number of people 215 years of age or older has increased by 8,388,608,000 percent. The number of people 220 years of age or older has increased by 16,777,216,000 percent. The number of people 225 years of age or older has increased by 33,554,432,000 percent. The number of people 230 years of age or older has increased by 67,108,864,000 percent. The number of people 235 years of age or older has increased by 134,217,728,000 percent. The number of people 240 years of age or older has increased by 268,435,456,000 percent. The number of people 245 years of age or older has increased by 536,870,912,000 percent. The number of people 250 years of age or older has increased by 1,073,741,824,000 percent. The number of people 255 years of age or older has increased by 2,147,483,648,000 percent. The number of people 260 years of age or older has increased by 4,294,967,296,000 percent. The number of people 265 years of age or older has increased by 8,589,934,592,000 percent. The number of people 270 years of age or older has increased by 17,179,869,184,000 percent. The number of people 275 years of age or older has increased by 34,359,738,368,000 percent. The number of people 280 years of age or older has increased by 68,719,476,736,000 percent. The number of people 285 years of age or older has increased by 137,438,953,472,000 percent. The number of people 290 years of age or older has increased by 274,877,906,944,000 percent. The number of people 295 years of age or older has increased by 549,755,813,888,000 percent. The number of people 300 years of age or older has increased by 1,099,511,627,776,000 percent. The number of people 305 years of age or older has increased by 2,199,023,255,552,000 percent. The number of people 310 years of age or older has increased by 4,398,046,511,104,000 percent. The number of people 315 years of age or older has increased by 8,796,093,022,208,000 percent. The number of people 320 years of age or older has increased by 17,592,186,044,416,000 percent. The number of people 325 years of age or older has increased by 35,184,372,088,832,000 percent. The number of people 330 years of age or older has increased by 70,368,744,177,664,000 percent. The number of people 335 years of age or older has increased by 140,737,488,355,328,000 percent. The number of people 340 years of age or older has increased by 281,474,976,710,656,000 percent. The number of people 345 years of age or older has increased by 562,949,953,421,312,000 percent. The number of people 350 years of age or older has increased by 1,125,899,906,842,624,000 percent. The number of people 355 years of age or older has increased by 2,251,799,813,685,248,000 percent. The number of people 360 years of age or older has increased by 4,503,599,627,370,496,000 percent. The number of people 365 years of age or older has increased by 9,007,199,254,740,992,000 percent. The number of people 370 years of age or older has increased by 18,014,398,509,481,984,000 percent. The number of people 375 years of age or older has increased by 36,028,797,018,963,968,000 percent. The number of people 380 years of age or older has increased by 72,057,594,037,927,936,000 percent. The number of people 385 years of age or older has increased by 144,115,188,075,855,872,000 percent. The number of people 390 years of age or older has increased by 288,230,376,151,711,744,000 percent. The number of people 395 years of age or older has increased by 576,460,752,303,423,488,000 percent. The number of people 400 years of age or older has increased by 1,152,921,504,606,846,976,000 percent. The number of people 405 years of age or older has increased by 2,305,843,009,213,693,952,000 percent. The number of people 410 years of age or older has increased by 4,611,686,018,427,387,904,000 percent. The number of people 415 years of age or older has increased by 9,223,372,036,854,775,808,000 percent. The number of people 420 years of age or older has increased by 18,446,744,073,709,551,616,000 percent. The number of people 425 years of age or older has increased by 36,893,488,147,419,103,232,000 percent. The number of people 430 years of age or older has increased by 73,786,976,294,838,206,464,000 percent. The number of people 435 years of age or older has increased by 147,573,952,589,676,412,928,000 percent. The number of people 440 years of age or older has increased by 295,147,905,179,352,825,856,000 percent. The number of people 445 years of age or older has increased by 590,295,810,358,705,651,712,000 percent. The number of people 450 years of age or older has increased by 1,180,591,620,717,411,303,424,000 percent. The number of people 455 years of age or older has increased by 2,361,183,241,434,822,606,848,000 percent. The number of people 460 years of age or older has increased by 4,722,366,482,869,645,213,696,000 percent. The number of people 465 years of age or older has increased by 9,444,732,965,739,290,427,392,000 percent. The number of people 470 years of age or older has increased by 18,889,465,931,478,580,854,784,000 percent. The number of people 475 years of age or older has increased by 37,778,931,862,957,161,709,568,000 percent. The number of people 480 years of age or older has increased by 75,557,863,725,914,323,419,136,000 percent. The number of people 485 years of age or older has increased by 151,115,727,451,828,646,838,272,000 percent. The number of people 490 years of age or older has increased by 302,231,454,903,657,293,676,544,000 percent. The number of people 495 years of age or older has increased by 604,462,909,807,314,587,353,088,000 percent. The number of people 500 years of age or older has increased by 1,208,925,819,614,629,174,706,176,000 percent. The number of people 505 years of age or older has increased by 2,417,851,639,229,258,349,412,352,000 percent. The number of people 510 years of age or older has increased by 4,835,703,278,458,516,698,824,704,000 percent. The number of people 515 years of age or older has increased by 9,671,406,556,917,033,397,649,408,000 percent. The number of people 520 years of age or older has increased by 19,342,813,113,834,066,795,298,816,000 percent. The number of people 525 years of age or older has increased by 38,685,626,227,668,133,590,597,632,000 percent. The number of people 530 years of age or older has increased by 77,371,252,455,336,267,181,195,264,000 percent. The number of people 535 years of age or older has increased by 154,742,504,910,672,534,362,390,528,000 percent. The number of people 540 years of age or older has increased by 309,485,009,821,345,068,724,781,056,000 percent. The number of people 545 years of age or older has increased by 618,970,019,642,690,137,449,562,112,000 percent. The number of people 550 years of age or older has increased by 1,237,940,039,285,380,274,899,124,224,000 percent. The number of people 555 years of age or older has increased by 2,475,880,078,570,760,549,798,248,448,000 percent. The number of people 560 years of age or older has increased by 4,951,760,157,141,521,099,596,496,896,000 percent. The number of people 565 years of age or older has increased by 9,903,520,314,283,042,199,193,993,792,000 percent. The number of people 570 years of age or older has increased by 19,807,040,628,566,084,398,387,9

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Identifiers are a *good* thing.

In fact, 1B don't have one -- and that's a problem.

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The global identification challenge: Who are the 1 billion people without proof of identity?

SUBMITTED BY VIJAYANTI T. DESAI ON WED, 04/25/2018
CO-AUTHORS: ANNA DICKASLING LU

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A legal identifier is needed for,

1. Participating in a market economy
 - a. Employment
 - b. Banking
 - c. Borrowing money
 - d. Home ownership
2. Transportation: driving, flying, trains
3. Education
4. Health records
5. Insurance
6. Protection
7. Information
 - a. Public safety
 - b. Products & services

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Fundamentally, identifiers allow you to participate in a market economy and in society, and to be protected.

<https://blogs.worldbank.org/voices/global-identification-challenge-who-are-1-billion-people-without-proof-identity>

UN sustainable development goals:

<https://sustainabledevelopment.un.org/post2015/transformingourworld>

But identifiers can be scary when data is not protected and falls into the wrong hands.

Intelligence

Marriott Hack Potentially Affects 500 Million Guests, But Probably Not Profits
By Seth Stevenson

Every single Yahoo account was hacked - 3 billion in all
By Steven Levy

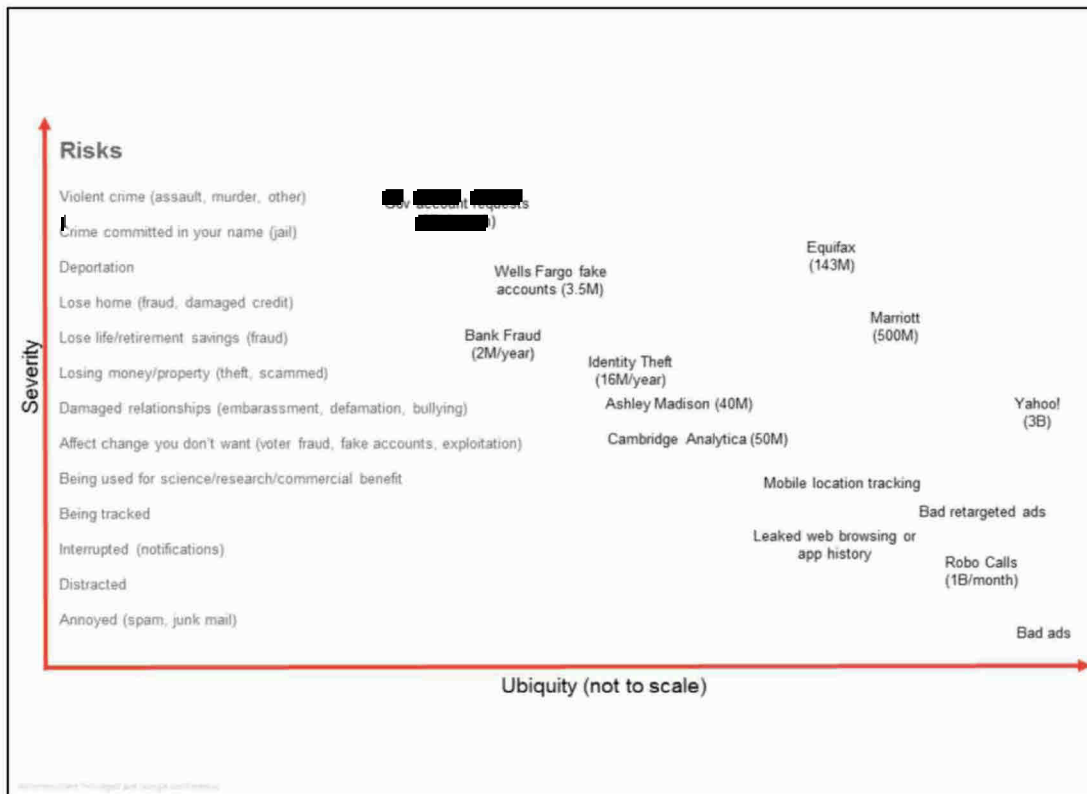
Equifax Says Cyberattack May Have Affected 143 Million in the U.S.
By Tara Sengul Bernard, Tiffany Hsu, Nicole Perrotti and Ron Lieber

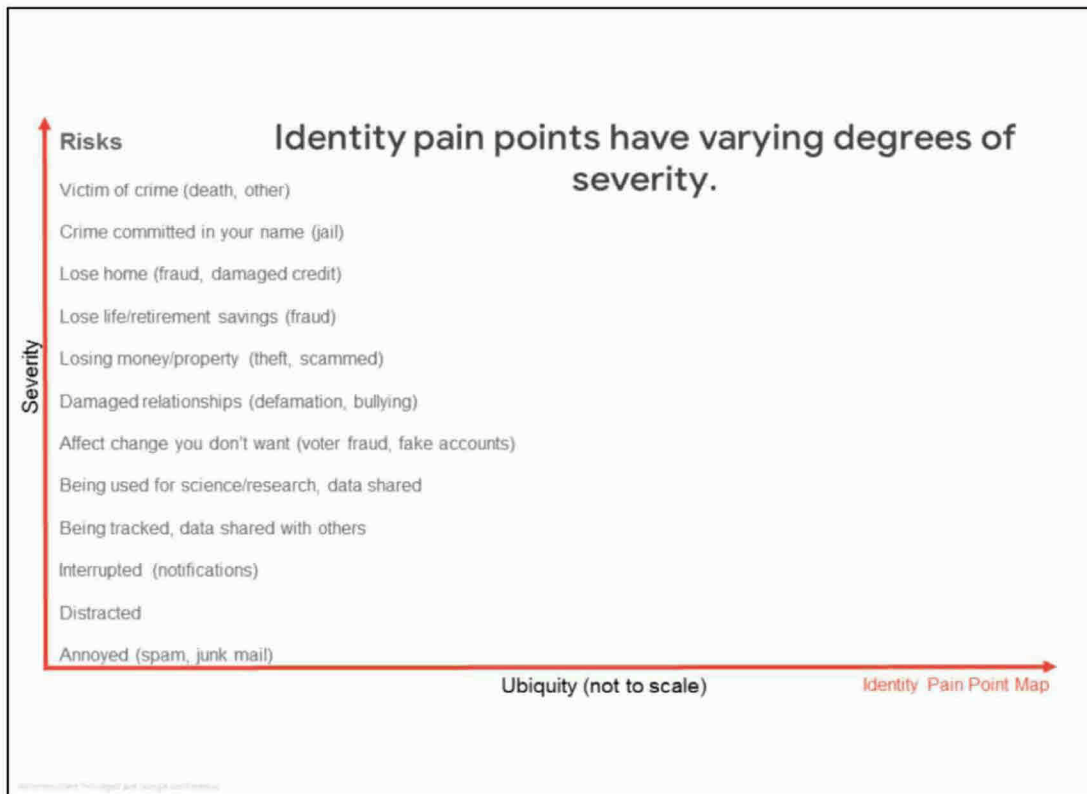
Facebook Security Breach Exposed Accounts of 50 Million Users

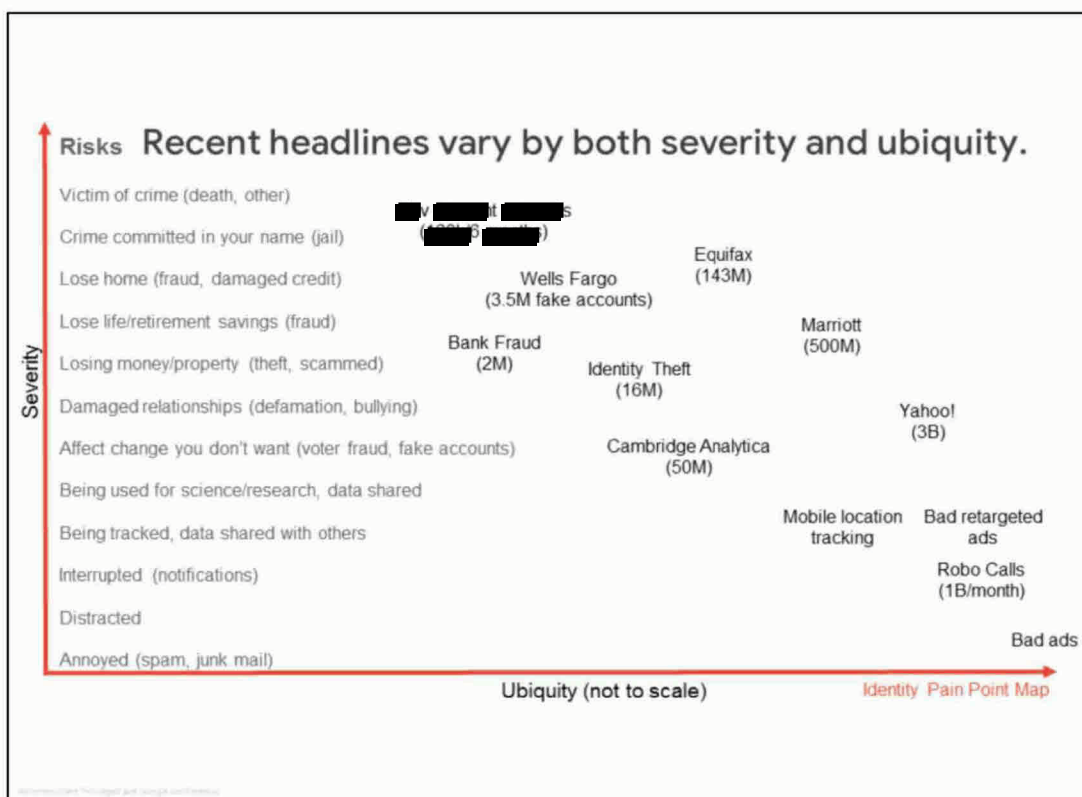
Wells Fargo Admits To Nearly Twice As Many Possible Fake Accounts - 3.5 Million

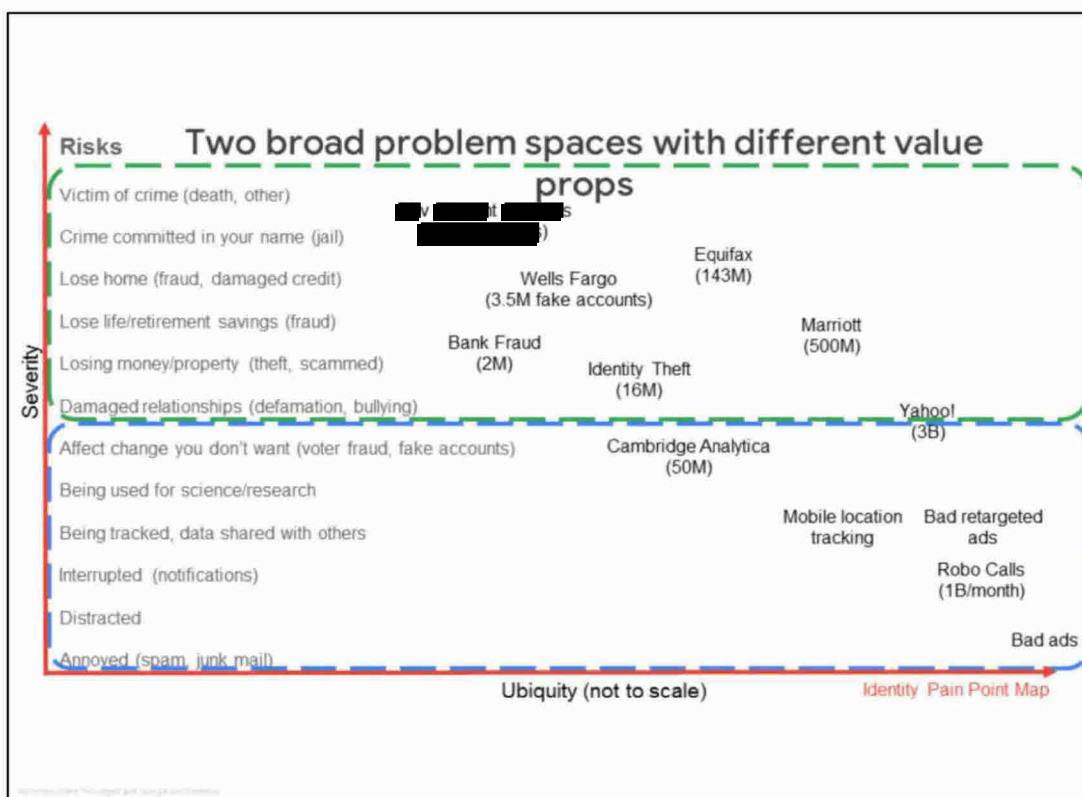
Your Apps Know Where You Were Last Night, and They're Not Keeping It Secret

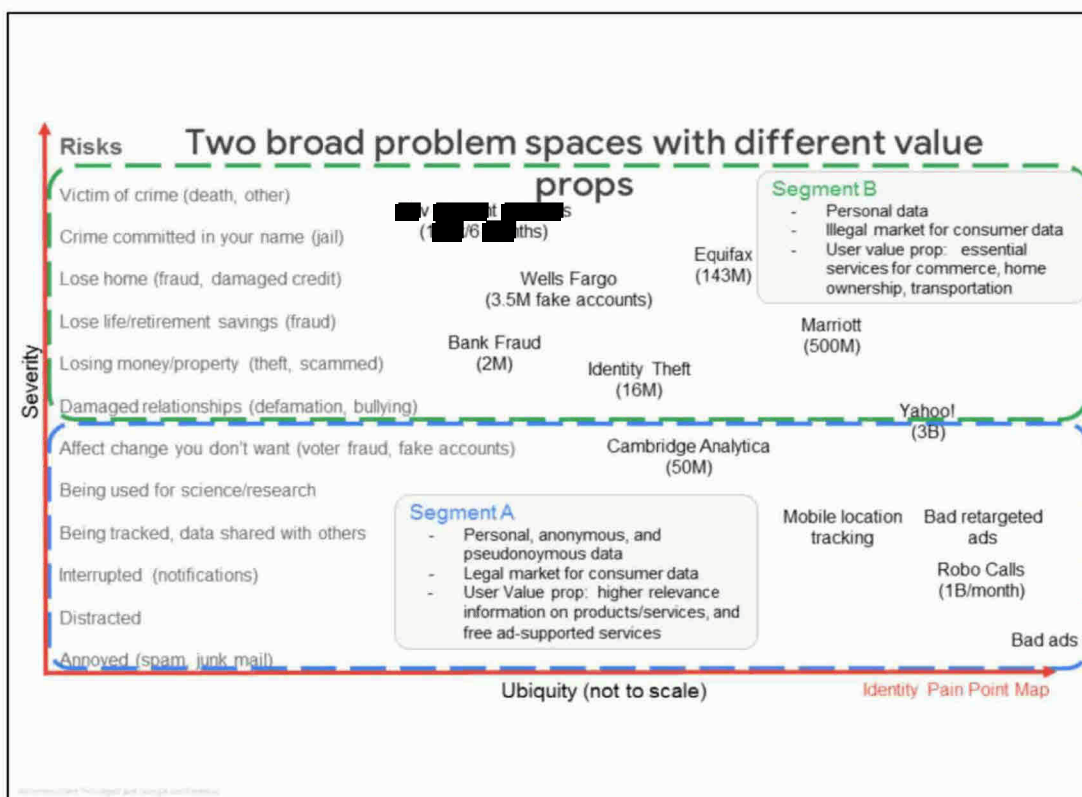
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Consumer Behavior: Segment B generates more user & GDPR interest; Segment A has more attention from FAANG

Segment B

- Personal data
- Illegal market for consumer data
- User value prop: essential services for commerce, home ownership, transportation

- 1.5% (5M) Lifelock subscribers pay \$10-30/mo
- 13-20% of consumers freeze their credit
- 24% (80M) Credit Karma subscribers for free credit monitoring
- Google Trends: [much higher spikes, higher average interest overall in the US](#)

Segment A

- Personal, anonymous, and pseudonymous data
- Legal market for consumer data
- User Value prop: higher relevance information on products/services, and free ad-supported services

- [REDACTED] GAP opt-out rate for Google signed-in users
- [REDACTED] block ads on chrome
- [REDACTED] enable LAT on iOS, [REDACTED] on Android
- 60% of consumers in US falsify online details
- 70% (230M) in US on Do-not-call list
- 754M fake Facebook accounts disabled July-Sept 2018
- Google Trends: [Do-not-call highest, ad blocking next, IDFA almost none](#)

Google

<https://www.marketwatch.com/story/freezing-your-credit-its-about-to-be-free-and-fast--heres-why-you-should-care-2018-09-17>

<https://www.cnbc.com/2017/11/29/credit-monitoring-services-may-not-be-worth-the-cost.html>

https://www.sec.gov/Archives/edgar/data/1095277/000156459017005328/intx-10k_20161231.htm

<https://www.investopedia.com/articles/personal-finance/010815/why-credit-karma-free-how-it-makes-money.asp>

<https://marketingland.com/survey-shows-us-ad-blocking-usage-40-percent-laptops-15-percent-mobile-216324>

<https://www.adjust.com/blog/limit-ad-tracking-rates-per-country/>



[REDACTED]

What problem(s) do we want to solve?



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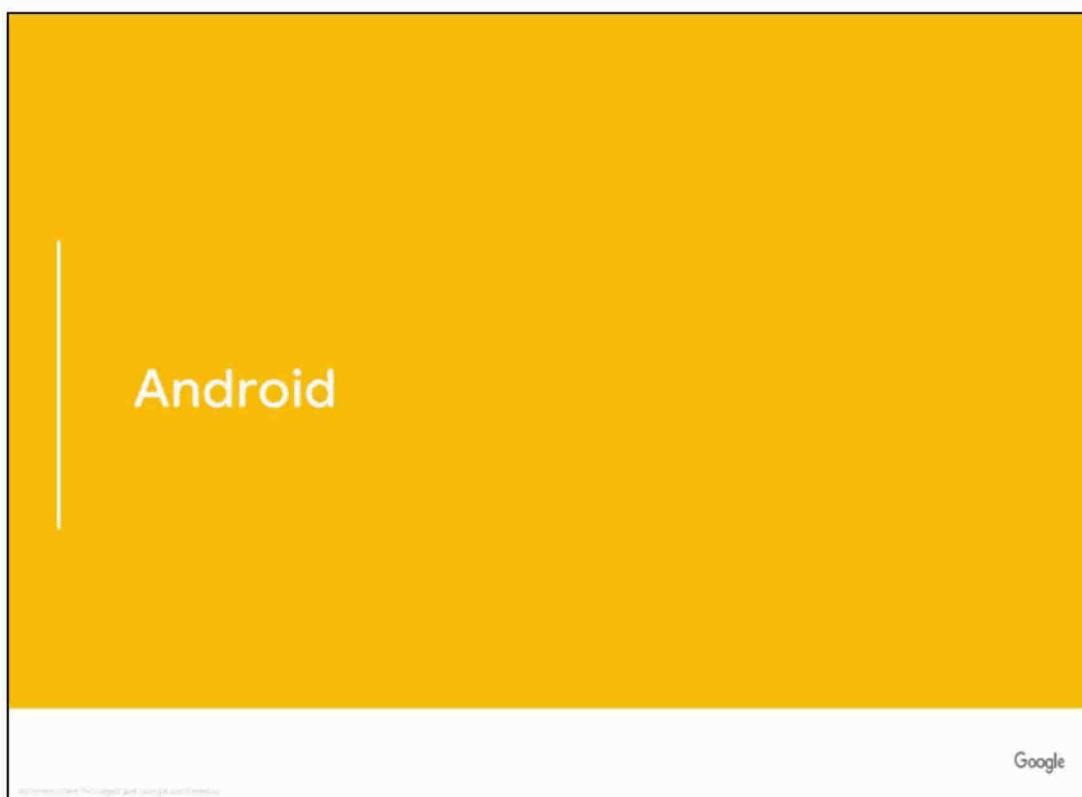
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What problem(s) are we not solving?



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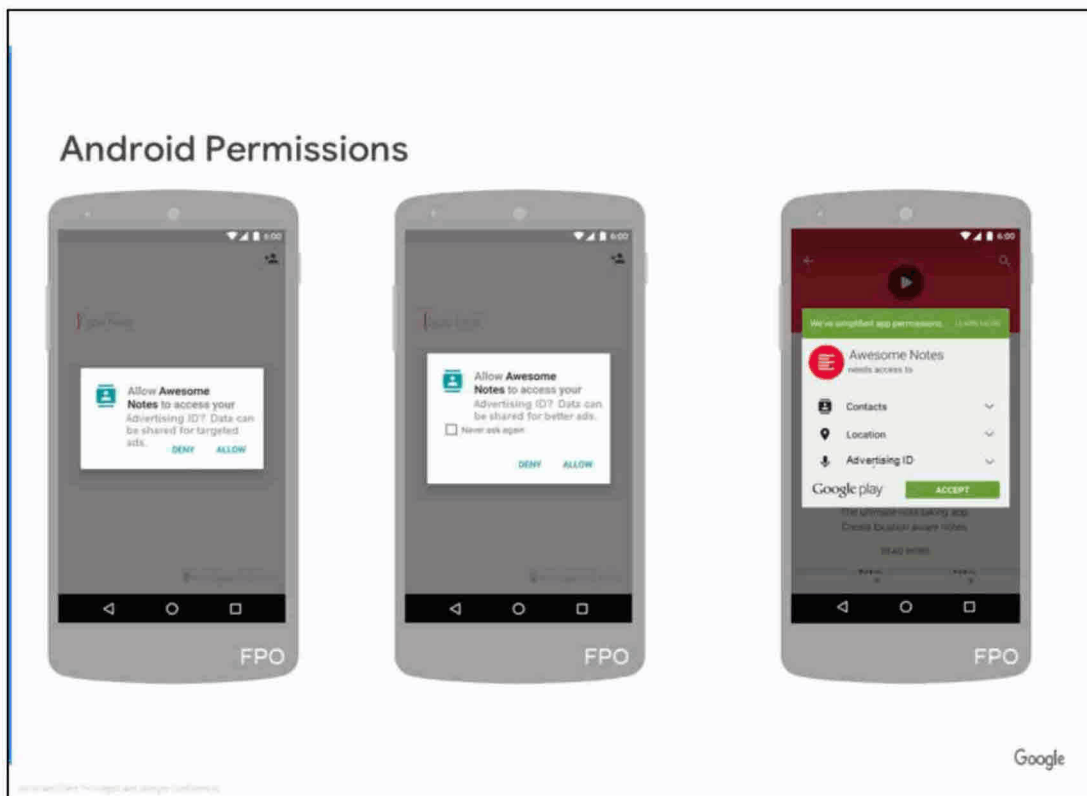


Overview

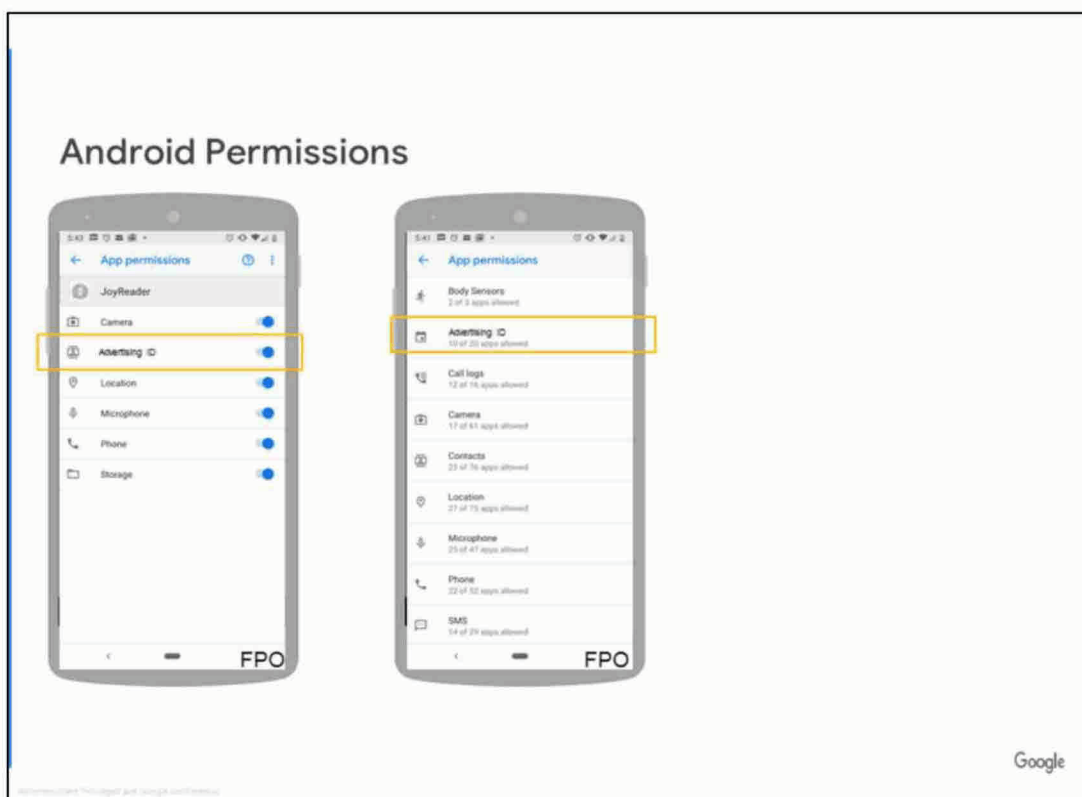
- Potential improvements to,
 - User consent, transparency, and control
 - Existing Advertising ID

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Information disclosed through and subject to Google's privacy policy



<https://developer.android.com/guide/topics/permissions/overview> There already exists an OS framework for handling consent, transparency, control of sensitive user data by an app.



<https://developer.android.com/guide/topics/permissions/overview>

[REDACTED]

	3P CHR	3P SAF	AdID	IDFA	GAIA
Pub created/writable	y	y	n	n	n
OS/browser created	n	n	y	y	n
OS/browser resettable	y	y	y	y	n
User created	n	n	n	n	y
Can be shared, unique per Pub	n	n	n	n	n
Can be rotated	n	n	n	n	n
Can expire	y	y	n	n	n
Can disable measurement	y	y	n	y	y
Can be used by 3P to create audience lists and to track history	y	n	y	y	n
Can be disabled by Incognito	n	y	n	n	n
Authenticated	n	n	n	n	y
Can be blocked from joining PII with ID?	n	n	n	n	n

[REDACTED]

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Unauthenticated Downloaded from Google

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#	MSMT*	Overall User Experience	Google Ads north star principles	Technical Feasibility	PR	Revenue Impact	Competitive Analysis
1	No Change						
2	ROC -- sharded, read-only ID						
3	Rib Cage -- user installed app that handles ad requests and measurement						
4	Newton Identity States -- retargeting done with images already stored on device; OS handles auction of which on-device ad wins out						
5	Add Advertising ID to Android permissions						
6	Transparency & control for on-device profiles						
7	Android Incognito Mode						
8	GAIA only (no AdID)						

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Other Android identifiers to watch

[illegible]

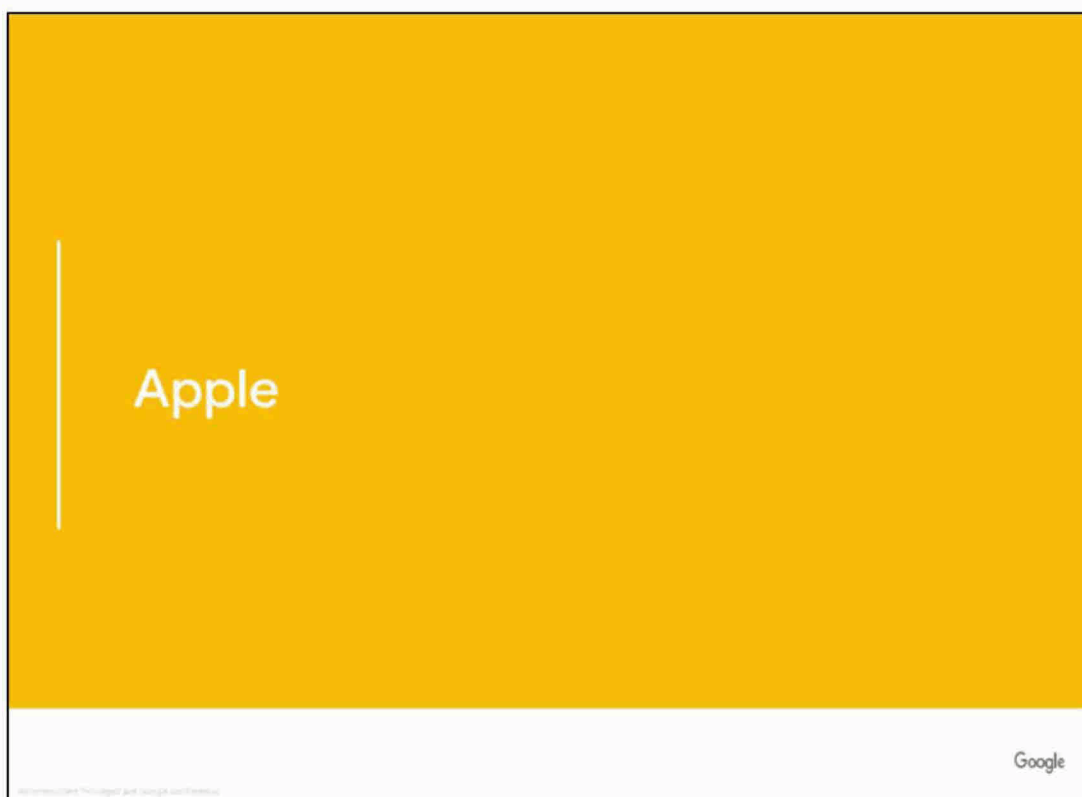
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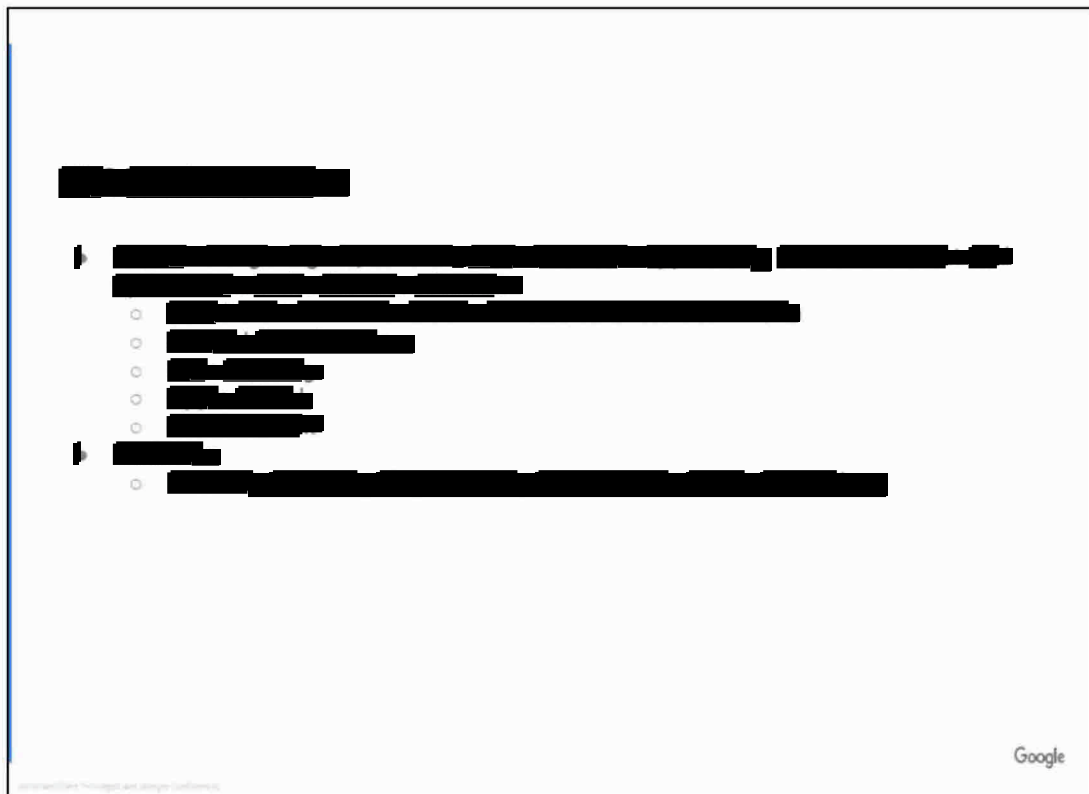
Next steps and needs

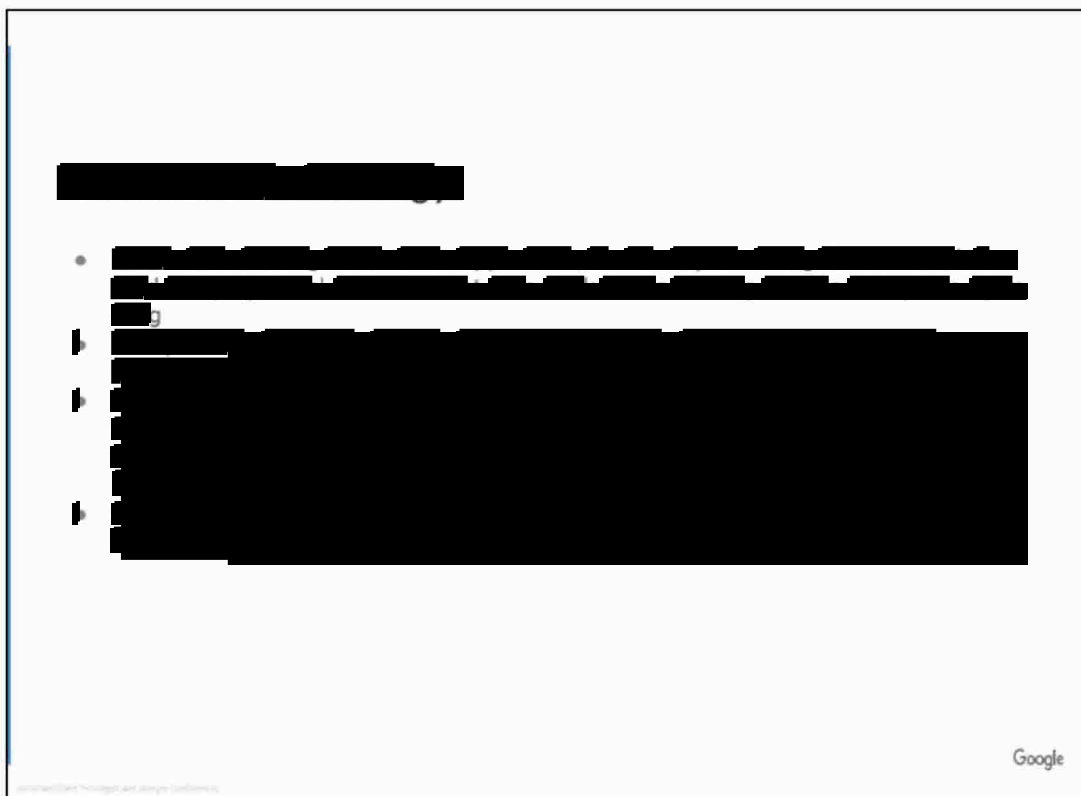
- UXR resources
- UX design resources

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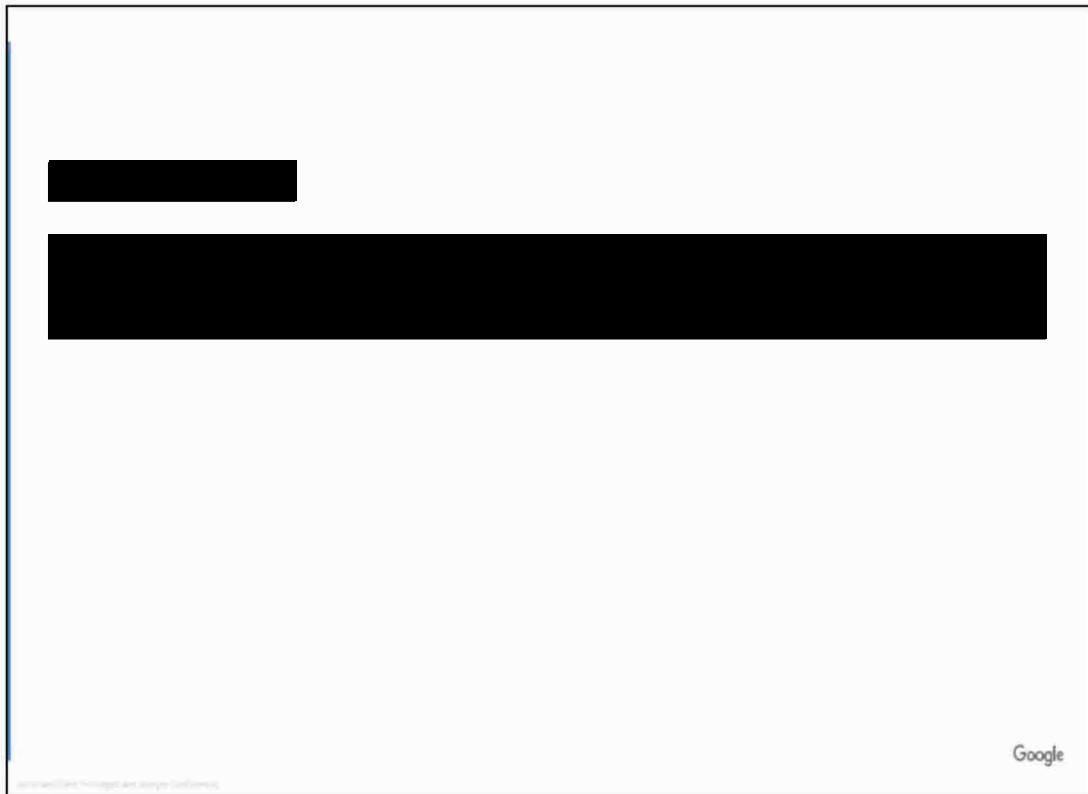


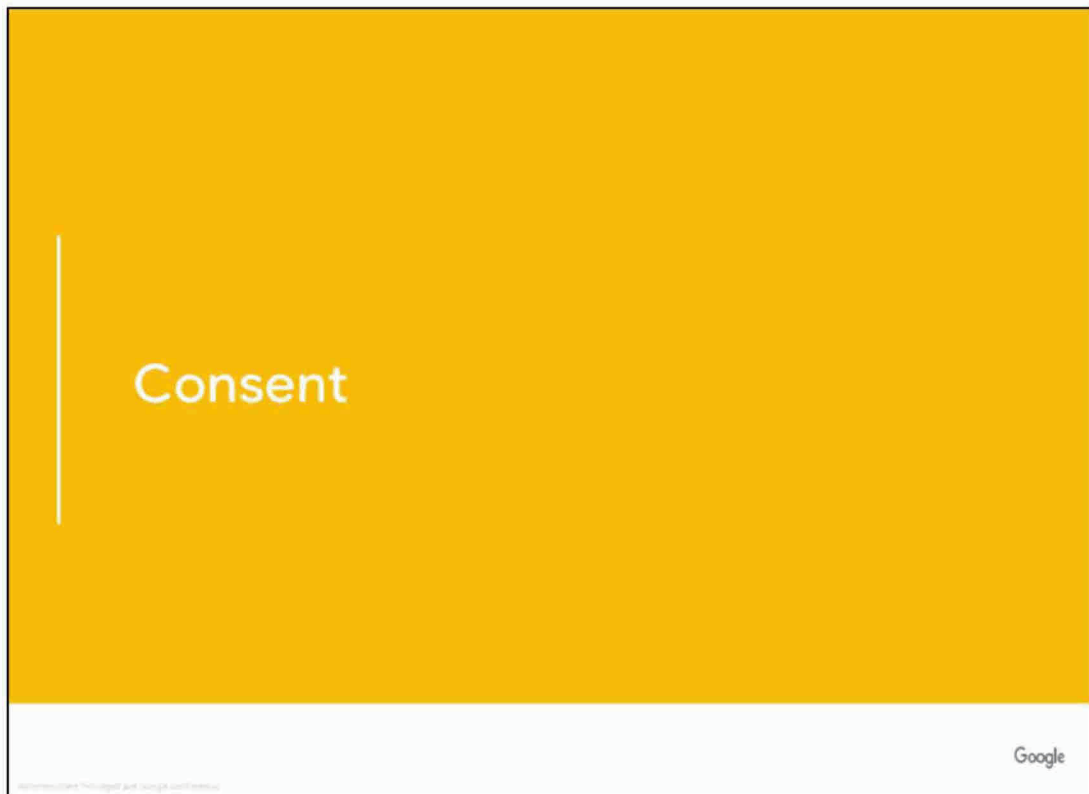






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Some key current thoughts on consent

- Compliant from regulatory perspective
- Legitimate interest for use of Google account information for 1P O&O product and ads personalization, for product improvement and measurement (Default: on)
- Consent required for (1) data collection on 3P sites and apps and (2) for use of Google account information for ads personalization on 3P sites/apps
- Combine consents required for data collection and ads personalization
- Consent may not be required for ads measurement
- Users have a yes/no choice to turn it on or off at account creation; associated transparency and control; revocation possible at any time; existing users who have an account might need to go through a consent bump that meets GDPR requirements

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Current State (for consent for personalization)

3	GAP (Default: ON)	GAIA Ads personalization is the global switch that allows users to turn off ads personalization for all ads served on Google O&O and on websites + apps that partner with Google to show ads (not connected to Google S/I)
4	NAC (nested under GAP)	The Narnia 2 (N2) Ads control. Uses users' activity and information from Google services to personalize ads on websites and apps that partner with Google. This stores data from websites and apps that partner with Google in your Google account. This setting is initially set through consent bump 2, and can be changed later using Ads Settings (this brings in Google S/I)

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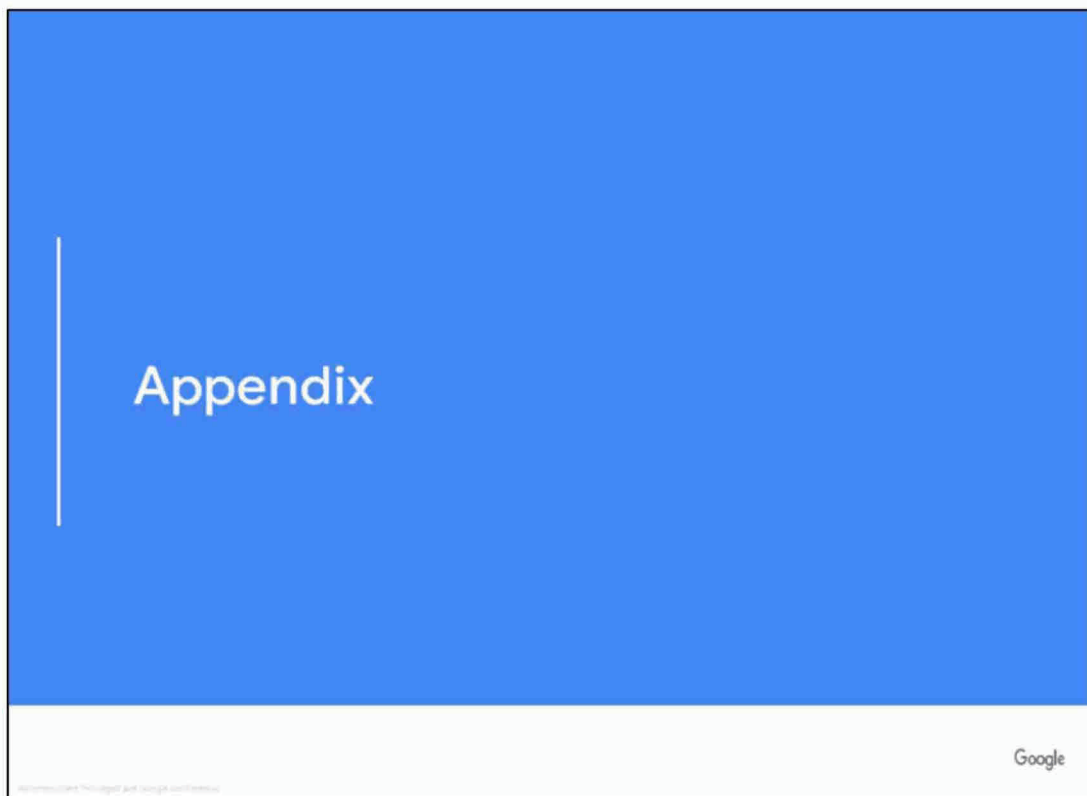
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Current State (consent for data collection)

1	WAA (1P) (link) (Default: ON)	<p>If Web & App Activity is turned on, your searches and activity from Google services (Google O&O) YouTube Watch History (YTW), and YouTube Search History (YTS)) is saved, and that data is associated with a user's Google Account, so users may get better search results and suggestions. If you turn the switch on, you can check box next to "Include Chrome browsing history and activity from websites and apps that use Google services."</p> <p>What information is saved? Searches and other things you do on Google products and services, like Maps; Your location, language, IP address, referrer, and whether you use a browser or an app; Ads you click, or things you buy on an advertiser's site; Information on your device like recent apps or contact names you searched for</p>
2	sWAA (3P) (nested under WAA) (Default: ON)	<p>Same as WAA, but for supplemental web and activity on 3P sites/apps</p> <p>Can we record all your 3P visits into your account</p>

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What problems does GDPR solve?

250 million people are now using the internet every day in Europe. We're sharing more and more of our personal data – whether through online banking, shopping, social media or electronic tax returns.

Your right to protect your personal data is something which must be safeguarded. There are numerous potential risks, such as unauthorised disclosure, identity theft or online abuse, to name a few. Protection of personal data is a fundamental right for everyone in the EU.

If an organisation is processing your personal data you may have the right to object. However, in some circumstances, public interest may prevail. For example, this could be the case for scientific or historical research.

You also have the right to object at any time to receiving direct marketing.

What is personal data?

It is any information that relates to an identified or identifiable living individual. For example: name, surname, home address, e-mail address, location data.
(More information: Art. 4 (1) of the Regulation)

Fed up of ads?

You bought two tickets online to see your favourite band play live. Afterwards, you're bombarded with adverts for concerts and events that you're not interested in. You inform the online ticketing company that you don't want to receive further advertising material. The company should stop processing your data for direct marketing and, shortly afterwards, you should no longer receive emails from them. They shouldn't charge you for this.

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https://ec.europa.eu/commission/sites/beta-political/files/data-protection-factsheet-citizens_en_1.pdf

What problems does GDPR solve?

It's all about trust

The protection of personal data is an important concern for individuals. Hence, their trust in digital environments remains low. According to a Eurobarometer survey:

- 🔥 eight out of 10 people feel they do not have complete control of their personal data;
- 🔥 six out of 10 say they do not trust online businesses;
- 🔥 more than 90% of Europeans say they want the same data protection rights across all EU countries.

The GDPR represents a new opportunity for your business to improve consumer trust through risk-based personal data management.

"Businesses that fail to adequately protect an individual's personal data risk losing consumer trust, which is essential to encouraging people to use new products and services."

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https://ec.europa.eu/commission/sites/beta-political/files/data-protection-factsheet-sme-obligations_en.pdf



[REDACTED]



